Federal Operating Permit
Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated, or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Lasco Bathware Inc.
Facility Name:	Lasco Bathware Inc.
Facility Location:	Lots 5 and 7 Halifax Industrial Park South Boston, Virginia
Registration Number:	30794
Permit Number:	SCRO30794

September 15, 2006
Effective Date

September 14, 2011
Expiration Date

_____
Regional Director

September 13, 2006
Signature Date

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I. Facility Information

Permittee
Lasco Bathware Inc.
8101 E. Kaiser Blvd., Suite 130
Anaheim, CA 92808

Responsible Official
Scott Hartman
Plant Manager

Facility
Lasco Bathware Inc.
Lots 5 and 7 Halifax Industrial Park
South Boston, VA 24592

Contact Person
Viktor Prismantas
Environmental Manager
(714) 993-1220 x428

State-County-Plant: 51-083-0037

Facility Description: NAICS 326191 – This facility's production consists of fabrication of fiberglass reinforced bath fixture molds and fiberglass reinforced acrylic bathtubs/showers.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
FRP Line							
G1	S1	Lasco Designed Spray booth	4032 lbs/hr	Concentrator/RTO	-	Styrene/PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G2	S1	Lasco Designed Spray booth	4032 lbs/hr	Concentrator/RTO	-	Styrene/PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G3	S1	First cure room, Lasco designed	Unknown	Concentrator/RTO	-	Styrene	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G4	S1	First LAM Prep station	Unknown	Concentrator/RTO	-	Styrene	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G5	S1	Lasco Designed Spray booth	4032 lbs/hr	Concentrator/RTO	-	Styrene/PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G6	S1	First LAM roll	9.0 lbs/hr	Concentrator/RTO	-	Styrene	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G7	S1	1st LAM cure and trim	Unknown	Concentrator/RTO	-	Styrene	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G8	S1	2nd LAM prep station	398 lbs/hr	Concentrator/RTO	-	Styrene	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G9	S1	Lasco Designed Spray booth	4032 lbs/hr	Concentrator/RTO	-	Styrene/PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G10	S1	2nd LAM roll	5 lbs/hr	Concentrator/RTO	-	Styrene	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G11	S1	2nd Cure room, Lasco designed	Unknown	Concentrator/RTO	-	Styrene	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G12	S1	Part Pull	2254 ft^2/hr	Concentrator/RTO	-	Styrene	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G13	S1	Mold Prep Station	0.5 lbs/hr	Concentrator/RTO	-	Styrene	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G14	S5	Trim booth	2254 lbs/hr	Polyester filter media	-	PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G16	-	Part repair	0.2 lbs hr	-	-	-	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
G36	-	Space heater	5.74 MMBtu/hr	-	-	-	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Acrylic Line							
A17	-	Vacuum Forming station, TM Plastic Machinery Stations	300.2 lbs/hr	-	-	-	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A18	-	Acrylic shells loading station	Unknown	-	-	-	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A19	S6	Lasco Designed Spray booth	1007.3 lbs/hr	Polyester filter media	-	PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A20	-	Cure Area	Unknown	-	-	-	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A21	S7	1st LAM Prep station	Unknown	Polyester filter media	-	PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A22	S8	Lasco Designed Spray booth	1007.3 lbs/hr	Polyester filter media	-	PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A23	S9	Roll and Cure	3.1 lbs/hr	Polyester filter media	-	-	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A24	S9	Prep and Cure	135.7 lbs/hr	Polyester filter media -	-	-	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A25	S8	Optional Lasco Designed Spray booth	1007.3 lbs/hr	Polyester filter media	-	PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A26	S7	Optional Roll station	1.969 lbs/hr	Polyester filter media	-	PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A27	-	Cure Area	11.3 tons/yr	-	-	-	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A28	-	Part pull	6,480,000 ft^2/yr	-	-	-	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A29a	S10	Trim booth, downdraft booth	6,480,000 ft^2/yr	Polyester filter media or self contained	-	PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A29b	S11	Trim booth, downdraft booth	6,480,000 ft^2/yr	Polyester filter media	-	PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A31	-	Part repair	Unknown	-	-		11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
A32	-	Space heater	5.74 MMbtu/hr	-	-		11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
Both Lines							
AG32	S2	Gel coat mixing and storage room	293.3 lbs/hr	Polyester filter media	-	PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
AG33	S2	Virgin resin storage room	1216.5 lbs/hr	Polyester filter media	-	PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
AG34	S1	Holding tanks	2872 lbs/hr	Concentrator/RTO	-	Styrene	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06
AG35	S4	Mixing room	2872 lbs/hr	Polyester filter media		PM	11/29/1984 amended 9/15/95, 4/7/03, 4/21/05, and 5/8/06

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Mold Fabrication							
OP1	S17	Mold Fabrication Spray Station	120.6 lbs/hr	-	-	-	12/9/1988 amended 12/17/93
OP2	S18	Mold Fabrication Spray Station	120.6 lbs/hr	-	-	-	12/9/1988 amended 12/17/93
OP3	S19	Mold Fabrication Weld Station	387 lbs/hr	-	-	-	12/9/1988 amended 12/17/93
OP4		Mold Fabrication Oven	420 molds/yr	-	-	-	12/9/1988 amended 12/17/93
Acrylic Whirlpool Manufacturing							
OA1		TM Plastic Machinery Lasco 2-Station Shuttle (vacuum forming)	504 lbs/hr	-	-	-	2/8/1994 amended 3/27/98
OA2		Mooney Hy-Solv Dispenser (mix)	968 lbs/hr	-	-	-	2/8/1994 amended 3/27/98
OA3	S14	Spray Booth	1160 lbs/hr	-	-	-	2/8/1994 amended 3/27/98
OA4	S14	Spray Booth	1160 lbs/hr	-	-	-	2/8/1994 amended 3/27/98
OA5		Ambient Cure	6,480,000 ft^2/yr	-	PM	-	2/8/1994 amended 3/27/98
OA7	S16	Grinding	11.3 tons/yr	-	-	-	2/8/1994 amended 3/27/98
OA8	S15	Drilling	6,480,000 ft^2/yr	-	-	-	2/8/1994 amended 3/27/98
OA9		Assembly	6,480,000 ft^2/yr	-	-	-	2/8/1994 amended 3/27/98

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. Fuel Burning Equipment Requirements – (G36, A32) Hastings direct-fired makeup air heaters

A. Limitations

1. The approved fuels for the Hastings direct-fired makeup air heaters (Ref. G36, A32) are natural gas and propane. A change in the fuels may require a permit to modify and operate.
(9 VAC 5-80-110 and Condition I.7 of November 29, 1984 Permit, amended September 15, 1995, April 7, 2003, April 21, 2005, and May 8, 2006)

2. Emissions from the operation of the two Hastings direct-fired makeup air heaters (Ref. G36, A32) combined shall not exceed the limits specified below:

Nitrogen Dioxide	1.18 lbs/hr	5.14 tons/yr
Carbon Monoxide	0.22 lbs/hr	1.04 tons/yr

Annual emissions are to be calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110, 9 VAC 5-50-260 and Condition I.4 of November 29, 1984 Permit, amended September 15, 1995, April 7, 2003, April 21, 2005, and May 8, 2006)

3. Visible emissions from the Hastings direct-fired makeup air heaters (Ref. G36, A32) shall not exceed twenty (20) percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed thirty (30) percent opacity, as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-50-80, 9 VAC 5-50-20 A.4., and 9 VAC 5-80-110)

B. Recordkeeping

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to the annual usage of natural gas and propane, calculated monthly as the sum of each consecutive twelve (12) month period. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-50-50 and 9 VAC 5-80-110)

C. Testing

The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30 and 9 VAC 5-80-110)

IV. Process Equipment Requirements

A. FRP Line (Ref. G1-G14, G16) and Acrylic Line (Ref. A17-A29b, A31, AG32-AG 34)

1. Limitations

a. VOC emissions from the FRP Line laminating spray stations, the gel coat spray operation, and storage tank (Ref. G1-G13, AG34) shall be controlled by a combination RTO/concentrator or equivalent regenerative thermal oxidizer (RTO). The RTO shall be provided with adequate access for inspection.
(9 VAC 5-80-110 and Condition I.3 of November 29, 1984 Permit, amended September 15, 1995, April 7, 2003, April 21, 2005, and May 8, 2006)

b. The maximum volatile organic compound emissions from the FRP Line (G1 - G14, G16), and Acrylic Line (A17-A29B, A31, AG32 - AG 34) shall not exceed 174.0 lbs/hr, but on an overall annual basis the average emissions rate shall not exceed 152 lbs/hr and 226 tons/yr.

(9 VAC 5-80-110 and Condition I.5 of November 29, 1984 Permit, amended September 15, 1995, April 7, 2003, April 21, 2005, and May 8, 2006)

c. The approved fuels for the RTO are natural gas and propane. A change in the fuels may require a permit to modify and operate.

(9 VAC 5-80-110 and Condition I.7 of November 29, 1984 Permit, amended September 15, 1995, April 7, 2003, April 21, 2005, and May 8, 2006)

d. The RTO shall operate in accordance with the following specifications:

(1) The RTO will destroy at least 95 percent of the organic compounds and vapors entering the unit.

(2) The RTO will operate at a minimum temperature of 1400°F. The RTO shall be equipped with a device (thermocouples) for the continuous measurement and recording of the temperature in the central chamber.

(3) The RTO's residence time shall be an average of 0.5 seconds.

(4) Sufficient excess air will be introduced into the unit (if necessary) to insure proper oxidation of the organic compounds and vapors.

(5) Repair parts of high usage items shall be maintained at the plant to reduce the length of any repair time.

(6) All piping, valves, and associated equipment will be properly maintained to minimize fume leakage.

(9 VAC 5-80-110 and Condition I.10 of November 29, 1984 Permit, amended September 15, 1995, April 7, 2003, April 21, 2005, and May 8, 2006)

e. In addition to incineration, volatile organic emissions shall be reduced by using the following:

(1) The use of airless sprays.

(2) High filler content resin systems.

(3) Overspray collection through dry filter media.

(4) Negative pressures in the process room to control fugitive emissions.

(5) Close control of material consumption.

(6) The use of elevated exhausts and high exit velocities.

(9 VAC 5-80-110 and Condition I.11 of November 29, 1984 Permit, amended September 15, 1995, April 7, 2003, April 21, 2005, and May 8, 2006)

f. All uncontrolled process stacks (Ref. S2, S4, S6, S7, S8, S9), excepting trimming and parts repair (Ref. S5, S10, S11), shall be at least 58' high and have a stack velocity of at least 4000 feet per minute.
(9 VAC 5-80-110 and Condition I.13 of November 29, 1984 permit, amended September 15, 1995, April 7, 2003, April 21, 2005, and May 8, 2006)

g. The mixing process (Ref. AG32, AG35) shall be controlled by a fabric filter.
(9 VAC 5-80-110 and 9 VAC 5-50-10 D)

h. Visible emissions from the FRP Line (G1 - G14, G16), and Acrylic Line (A17-A29B, A31, AG32 - AG 34) exhaust stacks (Ref. S1, S2, S4, S5-S11) shall not exceed twenty (20) percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed (30) percent opacity, as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-50-80 and 9 VAC 5-80-110)

2. Monitoring

a. The RTO shall be equipped with a device to continuously measure the temperature in the combustion zone as well as a means of determining gas discharge flow.
(9 VAC 5-80-110 and Condition I.6 of November 29, 1984 Permit, amended September 15, 1995, April 7, 2003, April 21, 2005, and May 8, 2006)

b. The permittee shall develop, in writing, maintain, and have available to all operators good operating procedures for all air pollution control equipment. A maintenance schedule for all such equipment will be established and made available to the DEQ for review. Records of service and maintenance will be maintained by the source for a period of two (2) years.
(9 VAC 5-80-110 and Condition II.7 of November 29, 1984 Permit, amended September 15, 1995, April 7, 2003, April 21, 2005, and May 8, 2006)

3. Recordkeeping

a. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to:

(1) annual usage of gel coatings and VOC emissions, calculated monthly as the sum of each consecutive twelve (12) month period. The VOC content of the materials is to be determined and certified using approved EPA test methodologies such as 40 CFR 60, Appendix A, EPA Reference Method 24 or equivalent. If it is demonstrated to the satisfaction of DEQ that coating formulation data are equivalent to Method 24 results, formulation data may be used;

(2) destruction efficiency of the RTO;

(3) temperature of the RTO;

(4) residence time of the RTO; and

(5) flow rate, including excess air, of the RTO.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-50-50, 9 VAC 5-80-110 and Condition II.5 of November 29, 1984 Permit, amended September 15, 1995, April 7, 2003, April 21, 2005, and May 8, 2006)

4. Periodic Monitoring

a. Visual emission observations from the FRP and Acrylic Lines fabric filter exhaust stacks (Ref. S2, S4, S5, S6, S7, S8, S9, S10, S11) shall be conducted at least once per week. If visible emissions are observed, the permittee shall:

(1) take timely corrective action such that the fabric filter resumes normal operation and there are no visible emissions from the fabric filter exhaust stack, or

(2) perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the fabric filter does not exceed twenty (20) percent opacity. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed five percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the fabric filter resumes operation with visible emissions of twenty (20) percent or less.

b. Records shall be maintained, on site, stating the date and time of each visible emissions check and whether visible emissions were observed and any required corrective action taken. Visible emissions checks are not required during start-ups, shut-downs, and malfunctions.

(9 VAC 5-80-110 and 9 VAC 5-50-20)

5. Testing

The FRP Line (G1 - G14, G16), and Acrylic Line (A17-A29B, A31, AG32 - AG 34) shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30, 9 VAC 5-80-110, and Conditions I.8 and II.4 of November 29, 1984 permit, amended September 15, 1995, April 7, 2003, April 21, 2005, and May 8, 2006)

B. Mold Fabrication Line (Ref. OP1 – OP4)

1. Limitations

a. The gel coat station (Ref. OP1) shall consume no more than 9.15 tons of gel coat per year, calculated monthly as the sum of each consecutive twelve (12) month period. (9 VAC 5-80-110 and Condition 3 of December 9, 1988 Permit, amended December 17, 1993)

b. The laminating station (Ref. OP2) shall consume no more than 58.35 tons of resin per year, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 and Condition 4 of December 9, 1988 Permit, amended December 17, 1993)

c. Visible emissions from the gel coat spray (Ref. OP1) and lamination (Ref. OP2) stations exhaust stack (Ref. S17, S18) shall not exceed 5 percent opacity.
(9 VAC 5-50-80, 9 VAC 5-80-110 and Condition 7 of December 9, 1988 Permit, amended December 17, 1993 Permit)

d. Visible emissions from the welding station's (Ref. OP3) exhaust stack (Ref. S19) shall not exceed twenty (20) percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed thirty (30) percent opacity, as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-50-80, 9 VAC 5-50-20 A.4., and 9 VAC 5-80-110)

e. Emissions from the operation of the gel coat station (Ref. OP1) shall not exceed the limits specified below:

Volatile Organic Compounds	2.4 lbs/hr	2.6 tons/yr

(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 5 of December 9, 1988 Permit, amended December 17, 1993 Permit)

f. Emissions from the operation of the laminating station (Ref. OP2) shall not exceed the limits specified below:

Volatile Organic Compounds	4.3 lbs/hr	4.8 tons/yr

(9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 6 of December 9, 1988 Permit, amended December 17, 1993 Permit)

2. Monitoring and Recordkeeping

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to the annual usage and VOC content of gel coat and resin, calculated monthly as the sum of each consecutive twelve (12) month period. The VOC content is to be determined and certified using approved EPA test methodologies such as 40 CFR 60, Appendix A, EPA Reference Method 24 or equivalent. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-50-50, 9 VAC 5-80-110 and Condition 11 of December 9, 1988 Permit, amended December 17, 1993 Permit)

3. Periodic Monitoring

a. Visual emission observations from the Mold Fabrication Line's exhaust stacks (Ref. S17, S18, S19) shall be conducted at least once per week. If visible emissions are observed, the permittee shall:

(1) take timely corrective action such that the Mold Fabrication Line resume normal operation and there are no visible emissions from the exhaust stacks (Ref. S17, S18, S19), or

(2) perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the Mold Fabrication Line's exhaust stacks (Ref. S17, S18) do not exceed five (5) percent opacity. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed five percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the Mold Fabrication Line's exhaust stacks (Ref. S17, S18) resume operation with visible emissions of five (5) percent or less, and

(3) perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the Mold Fabrication Line's exhaust stack (Ref. S19) do not exceed twenty (20) percent opacity. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed 20 percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the Mold Fabrication Line's exhaust stack (Ref. S19) resume operation with visible emissions of twenty (20) percent or less.

b. Records shall be maintained, on site, stating the date and time of each visible emissions check and whether visible emissions were observed and any required corrective action taken. Visible emissions checks are not required during start-ups, shut-downs, and malfunctions.

(9 VAC 5-50-20 and 9 VAC 5-80-110)

C. Acrylic Whirlpool Bathware Line (Ref. OA1-5, OA7-9)

1. Limitations

   a. The annual throughput of polyester resin in the Acrylic Whirlpool Bathware Line (Ref. OA3-5, OA7-9) shall not exceed 1635 tons, based on 42% weight styrene monomer, calculated as the sum of each consecutive 12 month period. (9 VAC 5-80-110 and Condition 4 of February 8, 1994 Permit, amended March 27, 1998)

   b. Visible emissions from the Acrylic Whirlpool Bathware Line's (Ref. OA3-4, OA7-8) exhaust stacks (Ref. S14-16) shall not exceed five (5) percent opacity. (9 VAC 5-50-80, 9 VAC 5-80-110 and Condition 6 of February 8, 1994 Permit, amended March 27, 1998)

   c. Emissions from the operation of the Acrylic Whirlpool Bathware Line (Ref. OA1-5, OA7-9) shall not exceed the limits specified below:

Total Suspended Particulate	0.5 lbs/hr	1.7 tons/yr
PM-10	0.5 lbs/hr	1.7 tons/yr
Volatile Organic Compounds	110.0 lbs/hr	90.2 tons/yr
Styrene	100.0 lbs/hr	84.6 tons/yr

   (9 VAC 5-80-110, 9 VAC 5-50-260, and Condition 5 of February 8, 1994 Permit, amended March 27, 1998)

2. Monitoring and Recordkeeping

   The permittee shall maintain records of all emission data and operating parameters for the Acrylic Whirlpool Bathware Line (Ref. OA1-5, OA7-9) necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to:

   (1) Annual throughput and VOC content of polyester resin, calculated monthly as the sum of each consecutive twelve (12) month period. The consumption shall be on a weight basis, corrected to 42% weight styrene monomer.

   (2) Annual usage of PVC "glue", including VOC emissions there from, calculated monthly as the sum of each consecutive twelve (12) month period.

   (3) Annual VOC and styrene emissions, calculated monthly as the sum of each consecutive twelve (12) month period.

   (4) The VOC content is to be determined and certified using approved EPA test methodologies such as 40 CFR 60, Appendix A, EPA Reference Method 24 or equivalent.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-50-50, 9 VAC 5-80-110 and Condition 9 of February 8, 1994 Permit, amended March 27, 1998)

3. Periodic Monitoring

a. Visual emission observations from the Acrylic Whirlpool Bathware Line (Ref. OA1-5, OA7-9) exhaust stacks (Ref. S14, S15, S16) shall be conducted at least once per week. If visible emissions are observed, the permittee shall:

(1) take timely corrective action such that the Acrylic Whirlpool Bathware Line (Ref. OA1-5, OA7-9) resume normal operation and there are no visible emissions from the exhaust stacks (Ref. S14, S15, S16), or

(2) perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the Acrylic Whirlpool Bathware Line's (Ref. OA1-5, OA7-9) exhaust stacks (Ref. S14, S15, S16) do not exceed five percent opacity. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed five (5) percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the Mold Fabrication Line's exhaust stacks (Ref. S14, S15, S16) resume operation with visible emissions of five (5) percent or less.

b. Records shall be maintained, on site, stating the date and time of each visible emissions check and whether visible emissions were observed and any required corrective action taken. Visible emissions checks are not required during start-ups, shut-downs, and malfunctions.

(9 VAC 5-80-110)

4. Testing

The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30, 9 VAC 5-80-110 and Condition 3 of February 8, 1994 Permit, amended March 27, 1998)

V. Facility Wide Conditions

A. Space Heating

1. Fuels - The approved fuels for the space heaters are natural gas and propane. A change in the fuels may require a permit to modify and operate.
(9 VAC 5-80-110)

2. Monitoring and Recordkeeping

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to, the annual throughput of natural gas (in million cubic feet) and or propane (1,000 gallon). The annual throughput shall be calculated as the sum of each consecutive twelve (12) month period. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110)

B. 40 CFR 63 MACT Requirements

1. Compliance Dates.

The permittee must comply with the applicable emission and work practice standards of 40 CFR 63 Subpart WWWW, the National Emission Standards for Hazardous Air Pollutants for Reinforced Plastic Composites Production and 40 CFR Part 63 Subpart A by April 21, 2006. Should the permittee choose to meet the organic HAP emissions standard based on a 12-month rolling average, the permittee must begin collecting data on the compliance date in order to demonstrate compliance per 40 CFR 63.5840.
(9 VAC 5-80-110, 40 CFR 63: §63.5795, §63.5800, and §63.6(c)(1))

2. Applicable Emissions and Work Practice Standards.

a. Open molding and repair operations at the South Boston facility shall comply with the applicable organic HAP emissions limits in Tables 3 or 5 to Subpart WWWW and the work practice standards in Table 4 to Subpart WWWW. Which include, but not limited to, the following requirements:

(1) The application of mold sealing and release agents, mold stripping, and the cleaning of repair parts not manufactured on-site are exempt from the provisions of 40 CFR 63 Subpart WWWW, the National Emission Standards for Hazardous Air Pollutants for Reinforced Plastic Composites Production and 40 CFR Part 63 Subpart A per 40 CFR 63.5790(c);
(9 VAC 5-80-110 and 40 CFR 63.5790(c))

(2) The permittee shall use either the organic HAP emission factors in Table 1 to Subpart WWWW or the approved site-specific organic HAP emission factors using the procedures outlined in §40 CFR 63.5796, §40 CFR 63.5797, §40 CFR 63.5798 and/or §40 CFR 63.5799 to determine the applicable emission standards in §40 CFR 63.5805;

(3) Starting on the compliance date, the permittee must be in compliance with the work practice standards in Table 4 to Subpart WWWW at all times per §40 CFR 68.5805;

(4) The permittee shall select one of the options identified in §40 CFR 63.5810 to demonstrate compliance with the standards in Tables 3 or 5 to Subpart WWWW. The permittee shall specify the compliance option in the semiannual compliance report per §40 CFR 63.5910(i);

(5) Starting on the compliance date, the permittee must be in compliance with the annual average organic HAP emission limits in Tables 3 or 5 to Subpart WWWW at all times per §40 CFR 63.5810, §40 CFR 63.5835, and §40 CFR 63.5900; and

(6) The permittee must develop and implement a start up, shut down, and malfunction plan (SSM) in accordance to the provisions of §40 CFR 63.6(e)(3), §40 CFR 63.5835, and §40 CFR 63.5900.

(9 VAC 5-80-110, 40 CFR 63: § 63.5796, §63.5805(a) & (g); §63.5810; §63.5835, §63.5900)

3. Performance Testing and Compliance Demonstration.

The permittee shall demonstrate compliance with the standards required in applicable organic HAP emissions limits in §40 CFR 63.5805, Table 3, or Table 5 to Subpart WWWW and the work practice standards in Table 4 to Subpart WWWW as specified in §40 CFR 63.5810 and §40 CFR 63.5835, including conducting required performance tests, performance evaluations, design evaluations, capture efficiency testing and other compliance demonstrations that are required under Subpart WWWW in accordance with 40 CFR 63 Sections §63.5840, §63.5845, §63.5850, §63.5855, and §63.5860. Performance testing of any control device shall meet the requirements in 40 CFR 63, Subpart SS. Which include, but not limited to, the following requirements:

a. Initial Performance Testing and Compliance Demonstration

If the permittee elects to meet an organic HAP emissions limit on a 12-month rolling average as provided in Condition V.B.1 above, collection of required data for compliance demonstration purposes must be initiated by April 21, 2006, and compliance shall be demonstrated one year after the compliance date.

b. Monitoring and Continuous Compliance Requirements

(1) The permittee shall monitor and collect all required data pursuant to Section 63.5895, and demonstrate continuous compliance with all standards specified in Section 63.5805 pursuant to 63.5900.

(2) Subsequent performance testing shall be conduced every five (5) years following initial testing for any standard met using an add-on control device per §40 CFR 63.5845.

(9 VAC 5-80-110, 40 CFR 63: §63.5840; §63.5845, §63.5850, §63.5855, §63.5860, §63.5895, §63.5805 §63.5900, and §63.7; and 40 CFR 63, Subpart SS)

4. Requirements for Add-on Control Devices.

Pursuant to 40 CFR §§63.5805(h) and §§40 CFR 63.5855, the permittee shall operate and monitor all add-on control devices according to the procedures in 40 CFR part 63, Subpart SS. Which include, but not limited to, the following requirements:

a. The closed vent system shall be operated and maintained such that affected sources are under negative pressure and emissions are captured and routed to either the control device or to the atmosphere through a designated exhaust stack;

b. Except where this permit is more restrictive, the monitoring device(s) shall be installed in accordance to the applicable requirements of 40 CFR Subpart SS;

c. The permittee shall develop and implement an operations and maintenance plan to assure this condition is met. The operation and maintenance plan shall be written and shall be submitted to South Central Regional Office; and

d. Monitoring records and records of maintenance actions associated with maintaining the closed vent system shall be retained in accordance with the general recordkeeping requirements of this permit and 40 CFR Subparts A, WWWW, and SS.

(9 VAC 5-80-110, 40 CFR 63: §63.5855, §63.5805(h), §63.988(c), and §63.983(a)(2) & (3))

5. Activities Prohibited Under 40 CFR 63, Subpart A.

The following activities are prohibited under section §63.3:

a. Operation of any affected source in violation of any applicable requirements under subpart WWWW of 40 CFR part 63 per §40 CFR 63.4(a).

b. Failure to keep records, notify, or revise reports as required under subpart WWWW of 40 CFR part 63.

c. Building, erecting, installing, or using any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes, but not limited to:

(1) The use of diluents to achieve compliance with a relevant standard based on the concentration of pollutant in the effluent discharge to the atmosphere;

(2) The use of gaseous diluents to achieve compliance with a relevant standard for visible emissions; and

(3) Intentionally phasing of reconstruction activities (i.e. intentionally dividing reconstruction into multiple parts) to avoid becoming subject to new source requirements.

(9 VAC 5-80-110, 40 CFR Part 63: §63.5835(d), §63.4, §63.6(e)(3))

6. Notifications.

The permittee shall comply with all applicable notification requirements that are specified in §40 CFR 63.5905, Table 13 of Subpart WWWW, and 40 CFR 63, Subpart A.
(9 VAC 5-80-110 and 40 CFR 63.5905)

7. Reporting.

The permittee shall comply with all applicable reporting requirements that are specified in Table 14 of Subpart WWWW, §40 CFR 63.5905, §40 CFR 63.5910, and §40 CFR 63 Subpart A.
(9 VAC 5-80-110 and 40 CFR 63: §63.5910)

8. Records.

The permittee shall keep all required records pursuant to Section 63.5915 and 63.5920 of Subpart WWWW and 40 CFR 63, Subpart A to demonstrate compliance with all applicable requirements. In addition, all records including data, calculations, and any supporting documentation shall be prepared in a format that is acceptable to South Central Regional Office.
(9 VAC 5-80-110, 40 CFR 63: §63.5915 and §63.5920)

VI. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
G38	Hastings LB-3	9 VAC 5-80-720 C		0.36 MMbtu
G39	Hastings LB-6	9 VAC 5-80-720 C		0.468 MMbtu
G40	Maxon heater	9 VAC 5-80-720 C		0.55 MMbtu
G41	Natural gas heater	9 VAC 5-80-720 C		3.5MMbtu
A41	Hastings LB-50	9 VAC 5-80-720 C		4.70 MMbtu
A42	Hastings LB-3	9 VAC 5-80-720 C		0.36 MMbtu
AG36	Natural gas heater	9 VAC 5-80-720 C		0.06 MMbtu
H-1	Natural gas heaters	9 VAC 5-80-720 C		2.066 MMbtu
H-2	Natural gas heaters	9 VAC 5-80-720 C		3.099 MMbtu
H-3	Natural gas heaters	9 VAC 5-80-720 C		0.387 MMBtu
OA6	Trimming	9 VAC 5-80-720 B	PM-10	< 5.0 tons/yr
OA10	Hydro testing	9 VAC 5-80-720 B	VOC, PM-10	< 5.0 tons/yr
OP5	Mold Fabrication-Grinding	9 VAC 5-80-720 B	PM-10	< 5.0 tons/yr
G15	Quality Inspection	9 VAC 5-80-720 B	VOC, PM-10	< 5.0 tons/yr
A30	Quality Inspection	9 VAC 5-80-720 B	VOC, PM-10	< 5.0 tons/yr

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

VII. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 64.2(b)(i)	Compliance Assurance Monitoring for VOC emissions	FRP Line (Ref. G1 - G16), Acrylic Line (Ref. A17-A31, AG32 - AG34), Mold Fabrication Line (Ref. OP1 - OP5), and Acrylic Whirlpool Bathware Line (Ref. OA1-OA5, OA7-OA9)
40 CFR 64.2(a)(3)	Compliance Assurance Monitoring for PM-10	FRP Line (Ref. G1 - G16), Acrylic Line (Ref. A17-A31, AG32 - AG34), Mold Fabrication Line (Ref. OP1 - OP5), and Acrylic Whirlpool Bathware Line (Ref. OA1-OA5, OA7-OA9)
40 CFR 63.7490 and 40 CFR 63.7575	NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 CFR 63 Subpart DDDDD	Hastings direct-fired makeup air heaters (Ref. G36, A32)
40 CFR 60.4c(a)	New Source Performance Standards Subpart Dc	Hastings direct-fired makeup air heaters (Ref. G36, A32

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

VIII. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.

2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.

3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.

4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.

5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

   a. The date, place as defined in the permit, and time of sampling or measurements.

   b. The date(s) analyses were performed.

   c. The company or entity that performed the analyses.

   d. The analytical techniques or methods used.

   e. The results of such analyses.

   f. The operating conditions existing at the time of sampling or measurement.

   (9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
   (9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

   a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.

   b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

      (1) Exceedance of emissions limitations or operational restrictions;

(2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,

(3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.

2. The identification of each term or condition of the permit that is the basis of the certification.

3. The compliance status.

4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.

5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.

6. Such other facts as the permit may require to determine the compliance status of the source.

7. One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029.
(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, South Central Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. Owners subject to the requirements of 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-50-40. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition VIII.C.3. of this permit.
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, South Central Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, South Central Regional Office.
(9 VAC 5-20-180 C and 9 VAC 5-80-110)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9 VAC 5-80-190 and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege. (9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality. (9 VAC 5-80-110 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;

4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,

5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-50-90 and 9 VAC 5-80-110)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(9 VAC 5-50-20 E and 9 VAC 5-80-110)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.
(9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.

2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.

3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.
(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.

2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:

   a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.

   b. The permitted facility was at the time being properly operated.

c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.

d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F 2 b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.

e. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.

f. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.
(9 VAC 5-80-190 C and 9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(40 CFR Part 82, Subparts A-F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)

BB. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.

2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.

3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)